

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 SERGIO HERNANDEZ,

4 Plaintiff,

Case No. 3:19-cv-00318-MMD-CBC

ORDER

5 v.

6 MARC ALLAN, *et al.*,

7 Defendants.
8

9 **I. DISCUSSION**

10 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by
11 an individual who has been released from the custody of the Nevada Department of
12 Corrections. Plaintiff submitted an application to proceed *in forma pauperis* for prisoners.
13 (ECF No. 1). The Court now directs Plaintiff to file an application to proceed *in forma*
14 *pauperis* by a non-prisoner within **thirty (30) days** from the date of this order or pay the
15 full filing fee of \$400. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1),
16 but will not file it until the matter of the payment of the filing fee is resolved.

17 **II. CONCLUSION**

18 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed
19 *in forma pauperis* for prisoners (ECF No. 1) is DENIED as moot.

20 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
21 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the
22 document entitled information and instructions for filing an *in forma pauperis* application.

23 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
24 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for
25 non-prisoners; or (2) pay the full filing fee of \$400.

26 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
27 dismissal of this action may result.

28 ///

1 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint
2 (ECF No. 1-1) but shall not file it at this time.

3 DATED: October 29, 2019.

4
5 
6 UNITED STATES MAGISTRATE JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28